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NOV 14 1992

U.S. Nuclear Regulatory Commission
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Gentlemen:

In the Matter of the Application of) Docket Nos. 50-390
Tennessee Valley Authority) 50-391

WATTS BAR NUCLEAR PLANT (WBN) - NRC INSPECTION REPORT NO.390, 391/92-26
REPLY TO NOTICE OF DEVIATION 390, 391/92-26-02

This letter responds to NRC Inspection Report No. 390, 391/92-26 that transmitted the Notice of Deviation. TVA understands how making a revision to the corrective action document before revising the 10 CFR 50.55(e) report could, alone, imply that TVA did not intend to meet the commitment. However, TVA does not agree that the cited deviation from NRC commitments occurred as stated for the following reasons:

- The change to the corrective action plan for Significant Corrective Action Report (SCAR) WBP900115SCA that forms the basis for the cited deviation was discussed before implementation with responsible NRC staff personnel on June 30, 1992;
- TVA notified NRC representatives that TVA would not change its commitment to perform the instrument line support walkdown unless and until a valid technical basis was established; and
- The commitment implementation date for the instrument line support walkdown (Unit 1 fuel load) has not transpired.

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TVA is concerned that the October 16, 1992 Inspection Report failed to acknowledge a June 30, 1992 meeting with the NRC Resident Inspector and Region II Section Chief to specifically discuss TVA's plans to examine the technical bases behind the subject NRC commitment. This omission is significant in that the Notice of Deviation cites a failure on the part of TVA to notify NRC of the change in corrective action.

Enclosed is TVA's specific response to the subject Notice of Deviation.

If you have any questions, please telephone P. L. Pace at (615) 365-1824.

Very truly yours,



William J. Museler

Enclosure

cc (Enclosure):

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ENCLOSURE
REPLY TO NOTICE OF DEVIATION
390, 391/92-26-02

Description of the Deviation

Tennessee Valley Authority Final Report WBRD-50-390/86-22 and WBRD-50-391/86-18, Incorrect Use of Typical Supports on Instrument Sense Lines, dated February 13, 1986, described corrective actions to correct design deficiencies associated with instrument line supports. This report was provided to NRC in accordance with 10 CFR 50.55(e).

Specifically, the report specified that TVA:

1. Will identify all 47A051-35 typical supports which are not installed in accordance with drawings 47A051-35 and 35A.
2. Will rework all deficient supports to conform to drawing requirements or deviation approval, via support variance sheets, will be obtained from the TVA's Office of Engineering on a case by case basis.
3. Will reinspect all 47A051-35 typical supports in accordance with WBNP Quality Control Procedures ... for Unit 1 ... and Unit 2 to ensure compliance with drawing requirements.

Contrary to the above, in August 1992 it was determined that the licensee had eliminated the commitments and implemented a sampling program to inspect instrument line supports without notifying the NRC of a change to the commitments specified in the report.

Reason for the Deviation

TVA disagrees that a deviation from previous NRC commitments occurred.

WBN Modifications and Site Licensing personnel met with the NRC Senior Resident Inspector and the NRC Region II Section Chief on June 30, 1992, and discussed in detail the change to the corrective action plan for Significant Corrective Action Report (SCAR) WBP900115SCA (as approved by site management) before implementation. As discussed in that meeting, 342 of approximately 1300 47A051-35 and -35A typical instrument line support installations had been walked down by Modifications. Although some as-installed supports did not meet all applicable design requirements, engineering evaluations by Nuclear Engineering concluded that these supports were acceptable to perform their design function. The favorable results of the engineering evaluation (100% acceptable as-built installations) provided Modifications and Nuclear Engineering confidence that a sampling plan may be used. Therefore, the corrective action plan for SCAR WBP900115SCA was revised to perform a statistical random sample of the subject population of 47A051-35 and -35A typical instrument line supports. This sample program was developed to provide a 95% confidence level that 95% of the as-built installations will perform their design function.

Also discussed with the NRC representatives in the June 30, 1992 meeting was TVA's intention regarding revision of the previous NRC commitment to perform a 100% walkdown of the subject supports. TVA committed in Construction Deficiency Report (CDR) 50-390/86-22, 391/86-18 to perform a 100% walkdown of the subject instrument line typical supports prior to fuel loading of each respective unit. In the 1986 timeframe, insufficient data was available to indicate that the subject instrument line typical supports were acceptable as-installed to perform their design function. Before the June 30, 1992 meeting with NRC, Modifications and Site Licensing personnel discussed revising the CDR to reflect the change to the corrective action plan for SCAR WBP900115SCA. As discussed, the statistical random sample process provides for expanding the sample size (up to the 100%) as necessary to establish the 95% confidence level that the as-built installations will perform their design function. Therefore, TVA concluded that completion of the random sample walkdown and engineering evaluation of the as-built 47A051-35 and -35A typical supports was necessary to finalize the decision whether to make any commitment change. Since the current commitment implementation milestone is before Unit 1 fuel load and the sample program was designed to provide the necessary data to support the decision whether or not to change the commitment, TVA considered a revision to the CDR to be premature. TVA's plans for a CDR revision were discussed with NRC representatives in the June 30, 1992 meeting.

TVA understands that the NRC representatives did not support the random sampling program approach. The NRC representatives indicated, however, that they wanted to be notified when the sample walkdown was to begin. Notification was provided to the NRC Senior Resident Inspector as requested.

A concern was expressed in NRC Inspection Report No. 390/92-26 regarding the installation records for the 47A051-35 and -35A typical supports. The programmatic issue of quality assurance records for WBN will be resolved as described in TVA's submittal of the Quality Assurance (QA) Records Corrective Action Program (CAP) Plan, Revision 5, dated May 15, 1992, and the associated NRC Safety Evaluation Report dated June 9, 1992. The QA Records CAP will address the need to supplement the installation records for instrument line supports to comply with quality assurance program requirements. The methodology for supplementing WBN's quality assurance records was addressed in TVA's submittal to NRC dated August 24, 1992.

The change to the corrective action plan for SCAR WBP900115SCA was not considered a significant change in the way work is controlled and, therefore, TVA did not consider discussion with NRC before implementation required in order to comply with NRC's condition for WBN's resumption of construction work. However, WBN elected to discuss the change with the NRC Senior Resident Inspector (and the NRC Region II Section Chief) as a means of continuing open communication with NRC. It was TVA's purpose and intent for the June 30, 1992 meeting to have served as an appropriate means of communicating a potential commitment change to NRC. Additionally, TVA then and now considers the 100% walkdown commitment to be valid until an adequate basis for a change (such as an acceptable random sample inspection) has been established and NRC is notified of TVA's decision to change its commitment. TVA understands how changing the SCAR corrective action description to a sample versus a 100% walkdown could, alone, give the impression that TVA had made a final decision to not comply with the commitment. However, since the commitment implementation date of WBN Unit 1 fuel load has not transpired and appropriate communication with NRC was conducted, TVA disagrees that a deviation of NRC commitments has occurred.

Corrective Steps Taken and Results Achieved

TVA does not consider that corrective actions are necessary to address the deviation.

The random sample walkdown has been completed by Modifications and the as-built configurations have been forwarded to Nuclear Engineering for evaluation. Acceptable results of the engineering evaluation will be used as the basis for revising the corrective action for CDR 50-390/86-22, 391/86-18 to describe TVA's resolution of the deficiency with 47A051-35 and -35A typical instrument line support installations.

Corrective Steps Taken to Avoid Further Deviations

TVA does not consider that corrective actions are necessary to avoid further deviations.

Date When Full Compliance Will Be Achieved

TVA considers the June 30, 1992 meeting with the Senior Resident Inspector and Region II Section Chief to be appropriate notification for the potential commitment change associated with CDR 50-390/86-22, 391/86-18. NRC will be notified of any change in commitment and the basis for change in a revision to this CDR. Therefore, with respect to the deviation, TVA is currently in full compliance.

Discussion of Restart Authorization

TVA disagrees that the conditions for restart of construction work were not complied with. To comply with the requirements imposed by NRC in the November 26, 1991 restart authorization letter, WBN instituted a formal checklist process to evaluate changes to site processes, procedures, organizations, and controls that were in place as of November 22, 1991. Significant changes were required to be discussed with the Senior Resident Inspector before implementation. As required, significant site changes were approved by site management, reviewed in accordance with the checklist process, and significant changes discussed with the NRC Senior Resident Inspector before implementation.

On May 8, 1992, TVA met with NRC in a management meeting to discuss measures taken to acquire NRC's concurrence for resumption of construction work at WBN. In this meeting TVA proposed that the formal checklist process for evaluating site changes be terminated. Subsequently, NRC Region II provided concurrence for construction restart to TVA in a June 11, 1992 letter from S. D. Ebnetter. This letter stated that it was satisfactory for TVA to make minimal changes in processes, procedures, and organizational controls and that senior site management would be responsible for assuring that changes do not reduce essential program elements subject to periodic reviews by the Quality Assurance organization.

To ensure open communication with NRC, TVA senior management elected to continue informal management review of site changes and NRC notification of any significant work control changes for a period of time to be determined by senior management. Site managers were directed by the Site Vice President in a May 13, 1992 memorandum to continue the evaluation process informally (using the checklist criteria for guidance) and discuss significant changes in work controls with NRC before implementation. The Site Vice President's May 13, 1992 memorandum was provided for information to the NRC Senior Resident Inspector as an attachment to a May 14, 1992 letter from G. L. Pannell to the Senior Resident Inspector.

As discussed above, TVA does not consider the change to the corrective action plan for SCAR WBP900115SCA to be a significant change in work controls, and therefore, not required to be discussed with NRC before implementation. However, the June 30, 1992 meeting with the NRC representatives is considered appropriate for communicating potential commitment changes to NRC.